

PTO/SB/21 (08-03)

Approved for use through 07/31/2008. OMB 0651-0031

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TRANSMITTAL  
FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

9

Application Number

10/658,879

Filing Date

September 9, 2003

RECEIVED  
CENTRAL FAX CENTER

First Named Inventor

Nila A. Shah

JAN 30 2004

Art Unit

2123

Examiner Name

Unknown

OFFICIAL

3517.1

## ENCLOSURES (check all that apply)

 Fee Transmittal Form Drawing(s) After Allowance Communication to Group Fee Attached Licensing-related Papers Appeal Communication to Board of Appeals and Interferences Amendment / Reply Petition Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) After Final Petition to Convert to a Provisional Application Proprietary Information Affidavits/declaration(s) Power of Attorney, Revocation Change of Correspondence Address Status Letter Extension of Time Request Terminal Disclaimer Other Enclosure(s)  
(please identify below): Express Abandonment Request Request for Refund

-Declaration for Utility Patent Application (4 pages); and  
-Copy of Notice to file Missing Parts (2 pages).

 Information Disclosure Statement CD, Number of CD(s) \_\_\_\_\_ Certified Copy of Priority Document(s)

Remarks

 Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name

Leticia R. Block Reg. 50,187

Signature

Leticia R. Block

Date

January 30, 2004

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Facsimile 703-872-9306

Typed or printed name

Leticia R. Block

Signature

Leticia R. Block

Date

January 30, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 130)

## METHOD OF PAYMENT (check all that apply)

 Check  Credit card  Money Order  Other  None
 Deposit Account:

Deposit Account Number 01-0431

Deposit Account Name Affymetrix, Inc.

The Director is authorized to: (check all that apply)

 Charge fee(s) indicated below  Credit any overpayments
  Charge any additional fee(s) during the pendency of this application
  Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 285	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1)			(\$ 0)

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

	Extra Claims	Fee from below	Fee Paid
Total Claims	-20-	= 0	x = 0
Independent Claims	-3-	= 0	x = 0
Multiple Dependent		x = 0	

Large Entity	Small Entity	Fee Description
Fee Code (\$)	Fee Code (\$)	
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	-- Reissue independent claims over original patent
1205 18	2205 8	-- Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)		(\$ 0)

\*or number previously paid, if greater. For Reissues, see above

Complete If Known	
Application Number	10/658,879
Filing Date	September 9, 2003
First Named Inventor	Nila A. Shah
Examiner Name	Unknown
Art Unit	2123
Attorney Docket No.	3517.1

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1051 130	2051 65	Surcharge - late filing fee or oath	130
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1052 2,520	1812 2,520	For filing a request for reexamination	
1004 920*	1604 920*	Requesting publication of SIR prior to Examiner action	
1055 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 850	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to Institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 400	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1480 130	1450 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17 (i)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR § 1.129(3))	
1810 770	2810 385	For each additional invention to be examined (37 CFR § 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	
Other fee (specify) _____			
Reduced by Basic Filing Fee Paid		SUBTOTAL (3)	(\$ 130)

Complete If applicable

SUBMITTED BY	Registration No. (Attorney/Agent)	Telephone	Date
Name (Print/Type) Letida R. Block	50,167	408-731-5277	
Signature <i>Letida R. Block</i>			January 30, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments or the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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## UNITED STATES PATENT AND TRADEMARK OFFICE

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 United States Patent and Trademark Office  
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[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING OR 371 (e) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/658,879	09/09/2003	Nija Shah	3517.1

CONFIRMATION NO. 3228

22886  
 AFFYMETRIX, INC  
 ATTN: CHIEF IP COUNSEL, LEGAL DEPT.  
 3380 CENTRAL EXPRESSWAY  
 SANTA CLARA, CA 95051

## FORMALITIES LETTER



\*OC000000011388253\*

Date Mailed: 12/01/2003

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$130 for a Large Entity

- \$130 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria VA 22313-1450

*A copy of this notice MUST be returned with the reply.*

Jan-30-04 04:17pm From-Affymetrix, Inc.

408 731 5392

T-863 P-009/009 F-989

Terry  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202  
PART 2 - COPY TO BE RETURNED WITH RESPONSE